

## REMARKS

Claims 1-5 and 10-19 are pending in the application. Claims 1 and 17 have been amended. Claims 6-9 have been canceled without prejudice or disclaimer. Claims 18 and 19 are newly added. Reconsideration of this application is respectfully requested.

The Office Action rejects claims 1-5 and 10-17 under the first paragraph of 35 U.S.C. 112 as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

This rejection is based on the language in independent claims 1 and 17 reciting that the protocol adapter framework “provides a plurality of services that permits coding of a thinner application, which includes at least one of said protocol adapters, without responsibility for coding or providing said services”. Claims 1 and 17 have been amended by deleting this language. Accordingly, the rejection does not apply to amended independent claims 1 and 17.

Accordingly, it is submitted that the rejection of claims 1-5 and 10-17 under the first paragraph of 35 U.S.C. 112 is obviated by the amendment.

The Office Action rejects claims 1-5 and 10-17 under 35 U.S.C 103(a) as unpatentable over U.S. Patent No. 6,173,327 to De Borst et al., hereafter De Borst in view of U.S Patent No. 6,763,395 to Austin, hereafter Austin.

Independent claims 1 and 17 have been further amended to recite:

“a protocol adapter framework....that supports a developer of an application embodied by said server objects and methods to define one or

more appropriate arbitrary protocols, which are different than the first protocols, for communication between the clients and the server objects”.

Support for this language is found at page 2, lines 22-28, of the specification.

Independent claims 1 and 17 have been further amended to recite:

“a protocol adapter framework....that responds to client requests in a natural programming model in at least one of said arbitrary protocols received via said protocol adapters to derive therefrom at least one method request on at least one of said server objects residing within at least one of said object servers”.

Support for this language is found at page 3, lines 1-17, of the specification.

Neither DeBorst nor Austin discloses or teaches a protocol adapter framework with the features of the above noted recitations of independent claims 1 and 17. DeBorst discloses a set of protocol adapters that are each dedicated to a different protocol, but does not teach that a developer of an application embodied by the server objects and methods can define one or more arbitrary protocols, which are different than the dedicated protocols. Austin teaches a system in which a user computer is configured with a standard user agent with one or more protocol plug-ins that permit the user computer to view live data from one or more data sources. Austin teaches that each protocol plug-in adapter is dedicated to a specific protocol. Austin does not teach a server that has a plurality of server objects relating to specific respective object servers of a plurality of workstations. Therefore, Austin does not teach that a developer of an application embodied by the server objects and methods to define one or more arbitrary protocols, which are different than the dedicated protocols.

Moreover, neither DeBorst not Austin teaches a protocol adapter framework that responds to client request in a natural programming model in at least one of the arbitrary protocols to derive therefrom at least one method request on at least one of the server objects residing within at least one of the servers.

The Examiner concludes that it would have been obvious to combine DeBorst and Austin because Austin teaches a user to install and use a code to view data from a wide variety of sources without having to write and program code as noted in Austin's abstract. The reason Austin's user does not have to write any code is that the protocol plug-ins embedded in the code are dedicated to specific protocols. Thus, the combination of DeBorst and Austin does not have a protocol adapter framework that supports a developer writing an application using embodied in the server objects and methods to define one or more arbitrary protocols different that the first protocols as claimed in amended independent claims 1 and 17.

The Office Action provides no motivation for one skilled in the art to combine DeBorst and Austin. The Examiner states that the motivation is that Austin teaches a code that a user may easily install and use to view live data from a wide variety of data sources. However, DeBorst teaches an object oriented system for delivering information based on factory objects and stream objects to deliver information from memories and not live information. The Examiner's reason for motivation would make no sense to one skilled in the art having both DeBorst and Austin in hand.

In fact, the Office Action suggestion to combine DeBorst and Austin is improperly based on the hindsight of Applicants' disclosure. Such hindsight reconstruction of the art cannot be the basis of a rejection under 35 U.S.C. 103. The prior art itself must suggest that modification or provide the reason or

motivation for making such modification. In re Laskowski, 871 F.2d 115, 117, 10 USPQ 2d 1397, 1398-1399 (CAFC, 1989). "The invention must be viewed not after the blueprint has been drawn by the inventor, but as it would have been perceived in the state of the art that existed at the time the invention was made." Sensonics Inc. v. Aerosonic Corp. 38 USPQ 2d 1551, 1554 (CAFC, 1996), citing Interconnect Planning Corp. v. Feil, 774 F. 2d 1132, 1138, 227 USPQ 543, 547 (CAFC, 1985).

For the reasons set forth above, it is submitted that the rejection of claims 1-5 and 10-17 under 35 U.S.C. 103(a) is obviated by the amendment and should be withdrawn.

Newly presented claims 18 and 19 recite the services of the object container are accessible by the developer. Neither DeBorst nor Austin teach this feature. Support for this feature is found at page 3, lines 11-17, of the specification. Accordingly, it is submitted that claims 18 and 19 distinguish from the cited art and are, therefore, allowable.

It is respectfully requested for the reasons set forth above that the rejections under 35 U.S.C. 112 and 35 U.S.C. 103(a) be withdrawn, that claims 1-5 and 10-19 be allowed and that this application be passed to issue.

Respectfully Submitted,

Date: 12/19/05



Paul D. Greeley  
Reg. No. 31,019  
Attorney for Applicants  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford, CT 06901-2682  
(203) 327-4500